

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

LA- Sanction of imposed cost of Rs.5000/- for not filing Counter Affidavit before the Hon'ble High Court in W.P.No.22069/2011 filed by Gangavaram Port Ltd., -Cost imposed by the Hon'ble High Court-Accorded- Orders -Issued.

Revenue (Land Acquisition) Department

G.O.Rt.No. 1409

Dated:28-11-2011
Read the following

1. G.O.Ms.No.683, Revenue (LA) Department, dt.27.6.2011.
2. From the Dy. Registrar, Hon'ble High Court of A.P. in W.P.No.22069/2011, dt.4.8.2011.
3. Govt.Memo No.3104/LA/A1/2011, Revenue (LA) Department, dt.14.10.2011.
4. From the Collector, Lr.Rc.No.3051/2011/G4/, dt.7.11.2011.
5. From the Advocate General, High Court Buildings, Hyderabad, Lr.No.1017/2011, dt.24.11.2011

ORDER:

In the reference 2nd read above the M/s Gangavaram Port Ltd., have filed in W.P. No.22069/2011, challenging the orders of the Government issued in G.O 1st read above for re-conveying the lands admeasuring Ac.28.56 cents situated in Sy.No.96/2B, 97/2B, 99/1, 100/1C and 101/3 of Pedagantyada village, Visakhapatnam District.

2. In the reference 3rd read above the Collector, Visakhapatnam was requested to depute the concerned officials along with record and para-wise remarks to Government by 17.10.2011 for preparing the counter affidavit. The Dist. Collector, Visakhapatnam in his letter 4th read above, while furnishing parawise remarks has stated on certain paras, remarks have to be offered by TR&B (Ports) Department. As the entire file was dealt with TR&B Department, a copy of the parawise remarks offered by District Collector, Visakhapatnam have been sent to the TR&B (Ports) Department./ I&I Department with a request to furnish necessary information to enable this Department to furnish comprehensive parawise remarks to O/o Advocate General, A.P. Hyderabad for preparing the counter affidavit for filing before the Hon'ble High Court. But no report has been received so far. The Tahsildar, Pedagantyada Mandal, along with Surveyor came before Advocate General Office on 20.10.2011 and explained facts pertaining to village records. But he is unable to explain details stating connected file was with Collectorate. The Spl. G.P to A.G required the certain information for preparation of counter affidavit. The Tahsildar concerned who is present promised to furnish details by 20.11.2011 on inspection of lands with the concerned officials. Therefore, the Collector, Visakhapatnam was directed to depute the concerned officials along with detailed report through fax so as to brief the Advocate General on 21.11.2011 at 10.00 A.M. It was also requested to depute the Sp.Dy.Collector (LA), Steel Plant, Visakhapatnam along with connected records to O/o the Advocate General Office, A.P.Hyderabad by 21-11-2011 at 10.00 A.M. for preparation of the counter affidavit. On 22.11.2011 the A.S and S.O. went to Advocate General Office and brief the further information. Again on 23.11.2011 the details desired by the Spl.G.P. have been furnished. He prepared counter draft and sent for Advocate General's perusal. Accordingly, the Spl.Dy.Collector (LA), Visakhapatnam came without reply to the said points and could not

explain the said points raised. The parawise remarks sent by Collector, are incomplete, still the remarks are due from the Collector.

3. In the reference 5th read above the Advocate General, Hon'ble High Court of A.P. has informed that the WP No.22069/2011 came up for hearing before the Hon'ble High Court and the learned Judge after hearing the arguments of both the counsel imposed cost of Rs.5,000/- for not filing the counter affidavit on behalf of the 1st respondent so far and the cost to be deposited on or before 5.12.2011 in the account of Legal Services Authority.

4. In the circumstances stated above Government hereby accord sanction for an amount of Rs.5000/- (Rupees Five Thousand only) towards cost imposed by the Hon'ble High Court of A.P in W.P.No.22069/2011 and to remit the same in favour of Member Secretary, A.P State Legal Service Authority, Hyderabad.

5. The amount sanctioned at para (4) shall be debited to the Head of account "2052- Secretariat General Services - 090 Secretariat - 09 Revenue Department - 280- Professional Services - 281- Pleader Fee - 284 - Other payments and shall be met from the available budget provision in Budget Estimates 2011-2012.

6. The Revenue (OP.II) Department are requested to draw the above sanctioned amount and release through Demand Draft in favour of Member Secretary, A.P State Legal Service Authority, Hyderabad on or before 5.12.2011.

7. This order does not require the concurrence of Finance Department.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANHRA PRADESH)

**ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT**

To,
The Revenue (OP-II) Department (In triplicate)
The Pay & Account Officer, Hyderabad, Secretariat Branch.
Copy to the Advocate General, A.P.High Court Buildings, Hyderabad.
Sf/Sc

//FORWARDED :: BY ORDER//

SECTION OFFICER